§ 3.03. Council on the arts. 1. (a) The council on the arts in the executive department is hereby continued. The twenty-one members shall be, broadly representative of all fields of the performing and fine arts, to be appointed by the governor, with the advice and consent of the senate, from among private citizens who are widely known for their professional competence and experience in connection with the performing and fine arts; provided, however, that the council shall have at least one member from each of the ten regions of the state, as such regions are defined by the empire state development corporation. In making such appointments, due consideration shall be given to the recommendations made by representative civic, educational and professional associations and groups, concerned with or engaged in the production or presentation of the performing and fine arts generally.

(b) No amendments made to this section shall require any council member appointed prior to the effective date of such amendments to vacate their seat prior to the natural end of their term.

(c) The council on the arts shall not be out of compliance with this section upon vacancy, and shall retain its full powers enumerated in section 3.05 of this article, provided that such vacancy is filled within a reasonable time and the appointment made for such new vacancy shall move the composition of the council closer to the requirement that each of the ten regions of the state as defined by the empire state development corporation be represented by at least one member of the council to the extent practicable.

2. The term of office of each member of the council shall be five years. Vacancies in the council occurring otherwise than by expiration of term, shall be filled for the unexpired term in the same manner as original appointments. The governor shall designate a chairperson and two vice-chairpersons from the members of the council, to serve as such at the pleasure of the governor. The chairperson shall be the chief executive officer of the council.

3. The chairperson shall receive compensation fixed by the governor and shall be reimbursed for all expenses actually and necessarily incurred by him in the performance of his duties hereunder, within the amount made available by appropriation therefor. The other members of

the council shall receive no compensation for their services, but shall be reimbursed for all expenses actually and necessarily incurred by them in the performance of their duties hereunder within the amount made available by appropriation therefor.

4. The chairperson may appoint such officers, experts and other employees as he may deem necessary, prescribe their duties, fix their compensation and provide for reimbursement of their expenses within amounts available therefor by appropriation.